

REMARKS

Claims 2-4, 6 and 12-15 are pending in the application. Claim 3 has been amended, claims 5, 9 and 10 are canceled, and claims 12-15 are newly added. Claims 1, 7, 8 and 11 were canceled by a previous amendment. Reconsideration of the rejection and allowance of the pending application in view of the following remarks are respectfully requested.

As an initial matter, Applicant wishes to thank the Examiner for allowing claims 2, 4 and 6, and for indicating that claim 5 includes allowable subject matter.

In the Office Action, the Examiner rejected claim 3 under 35 U.S.C. §102(b) as being anticipated by Ikemura (Japanese Patent Publication No. 2003-150156).

Applicant has amended claim 3 to include the subject matter of claim 5, which the Examiner indicated to be allowable. For at least this reason, Applicant respectfully submits that claim 3 is in condition for allowance, and respectfully requests that the Examiner withdraw the 35 U.S.C. §102(b) rejection.

In the Office Action, the Examiner rejected claims 9 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Newman (U.S. Patent No. 5,837,913) in view of Brundage (U.S. Patent No. 4,102,234).

Applicant has canceled claims 9 and 10, merely to advance prosecution of the present application to issue. Thus, cancellation of claims 9 and 10 should not be viewed as an acquiescence by Applicant to the propriety of the rejection.

In the Office Action, the Examiner objected to claim 5 as being dependent upon a rejected base claim, but indicated that it would be allowable if rewritten in

independent form, including all of the limitations of base claim 3. By the present amendments, Applicant has canceled claim 5, as its subject matter has been incorporated into independent claim 3.

Applicant also submits new dependent claims 12-15 for the Examiner's consideration. Applicant respectfully submits that claims 12-15 are in condition for allowance at least in view of their dependency from claims 2 and 3, and thus respectfully requests the Examiner to allow these claims.

Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

SUMMARY AND CONCLUSION

Entry and consideration of the present amendment, reconsideration of the outstanding Office Action, and allowance of the present application and all of the claims therein are respectfully requested and is now believed to be appropriate. Applicant has made a sincere effort to place the present invention in condition for allowance and believe that he has now done so.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is requested to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Hiroshi SOGABE

A handwritten signature in black ink, appearing to read "Bruce H. Bernstein", written over a horizontal line.

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